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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 JAMES E. DICKERSON,

11 Plaintiff,

12 v.

13 DAVID H. BRUNEAU,

14 Defendant.

Case No. C06-5418RBL

ORDER DISMISSING
COMPLAINT PURSUANT TO
28 U.S.C. § 1915

15 The Court, having reviewed plaintiff's complaint, the Report and Recommendation of Magistrate
16 Judge J. Kelley Arnold, objections to the report and recommendation, if any, and the remaining record,
17 does hereby find and ORDER:

- 18 (1) Plaintiff's Motion to Dismiss pursuant to Fed. R. Civ. P. 41(a)(1) [Dkt. #11] is **DENIED**.
19 (2) The Court adopts the Report and Recommendation;
20 (3) Plaintiff's complaint and causes of action are DISMISSED;
21 (4) The Clerk is directed to count this as a dismissal under **28 U.S.C. § 1915(g)**;
22 and
23 (5) The Clerk is directed to send copies of this Order to plaintiff, to counsel of record, and to
24 the Hon. J. Kelley Arnold.

25 DATED this 6th day of November, 2006.

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27 
28 RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE